

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

In re:

Chapter 13

Aloysius Smith

Case No. 9-15-bk-07705-FMD

Debtor

**TRUSTEE'S UNFAVORABLE RECOMMENDATION
AND OBJECTIONS TO CONFIRMATION OF THE PLAN**

TO: Clerk, United States Bankruptcy Court

1. The Debtor's Petition for Relief to Chapter 13 was filed on July 28, 2015.
2. Trustee's Recommendation to the Court. The Trustee cannot recommend confirmation of the Chapter 13 Plan at this time for the following reason(s):
3. It does not appear that the Debtor has dedicated all disposable income to the proposed Plan as required by 11 U.S.C. §1325(b)(1)(B).
 - (a) The Trustee hereby requests the following additional documents to determine if the Debtor has dedicated all disposable income to the Plan: 2015 income tax returns.
 - (b) Debtor's Current Monthly Income (**Form B22C-2**) needs to be amended to: correct lines 9b and 33a because they are understated; correct line 16 because they are overstated; and correct line 9b because it is incomplete.

/s/ Jon M. Waage

Jon M. Waage
Chapter 13 Standing Trustee
P.O. Box 25001
Bradenton, Florida 34206
Phone: (941) 747-4644
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Trustee's Unfavorable Recommendation and Objections to Confirmation of the Plan has been furnished electronically and/or by First Class US Mail to **Aloysius Smith**, 2353 Mayfield Court, Naples, FL 34106, and **Charles R. Hayes, Esquire**, 2590 Northbrooke Plaza Drive, Suite #303, Naples, FL 34119, and the **U.S. Trustee**, 501 East Polk Street, Suite 1200, Tampa, Florida 33602 on this 5th day of October, 2015.

/s/ Jon M. Waage

JMW/MEC/phl